

Memorandum

To: Chairman and Commissioners

Date: October 14, 1998

From: Robert I. Remen

File No: F 9

BOOK ITEM 4.1
ACTION

Ref: STATE LEGISLATION

The following bills of interest to the Commission were passed by the Legislature and sent to the Governor for signature. The Governor's actions on these bills are shown below.

BILL (AUTHOR) **CTC POSITION**

AB 96 (STROM-MARTIN) OPPOSE

NCRA - This bill would add freight rail projects on the NCRA as eligible for STIP programming and Public Transportation Account funding.

AB 542 (PERATA) WATCH

Intercity Rail Feeder Bus Service - Would, until 1/1/03, authorize Caltrans to authorize the use of funds by Amtrak to contract for bus service to feed intercity passenger rail services, and require the appropriate agency to consult with licensed intercity bus operators to determine whether or not they can provide the desired intercity passenger rail feeder bus service under terms and conditions beneficial to the state's interests.

AB 1686 (WILDMAN) WATCH

Retrofit Soundwall Funding - Would require Caltrans and the regions to develop programs for building soundwalls included on the May 3, 1989 list, to submit the programs to the CTC on or before 3/1/99, that funding be split 50% from interregional improvement program funds available for use in urban areas and 50% from the county's share of regional improvement program funds. Caltrans or the regional agency could recommend to the CTC that the project be deleted from the priority list and the CTC could delete the project upon finding that the project is not cost effective and that deletion of the project will not have an adverse impact on the public health, safety, and welfare. The programs are to provide for construction of all retrofit soundwalls by 7/1/06, the CTC could delay the completion date of a project, if so requested by Caltrans and the regional transportation planning agency, to any date that is on or before 7/1/08.

AB 2035 (CARDENAS) SUPPORT

STIP Fund Estimate-Federal Demonstration Projects - Would prohibit federal funds available for demonstration projects that are not subject to federal obligational authority, or are accompanied with their own dedicated obligational authority, from being considered funds that would otherwise be available to the state and

included in the fund estimate. The bill would define "federal funds," for purposes of preparing the Fund Estimate, as any obligational authority to be provided under annual federal transportation appropriations acts.

AB 2782 (KEELEY) **WATCH**

NCRA - This bill would appropriate \$11 million from the General Fund for specified purposes including \$2 million to the CTC for the immediate and critical needs of the NCRA. Any remaining funds shall be available for additional needs of the NCRA, including capital improvements to safely operate and maintain the rail service. The funds shall not be used as repayment of the so-called "Q-Fund" loan. The CTC shall report by 12/31/99, to the Legislature on how these funds have been expended by the NCRA. (Amended 8/28/98)

SB 270 (PEACE) **WATCH**

Foreign Commercial Vehicle Safety Regulation - Would require that the CHP adopt rules and regulations to promote the safe operation of commercial vehicles that enter California from Mexico consistent with existing standards, and would require the ARB to conduct emissions inspections at the California-Mexican border crossings.

SB 567 (SCHIFF) **SUPPORT**

Transportation Finance Bank - would authorize the CTC to allocate federal and state transportation funds to Caltrans for an enforceable commitment to CEDFA for implementing the purpose of the Transportation Finance Bank (TFB), and requires the CTC to allocate funds from the SHA and other available funds to Caltrans to be used to meet capital and interest obligations created by the TFB as those obligations arise or become due.

SB 1477 (KOPP) **WORK WITH AUTHOR**

Local Street & Highway Reconstruction - Appropriates \$300 million from the SHA (\$200 million in FY1998-99, and \$100 million IN FY1999-2000 for allocation by the Controller to cities (50%) and counties (50%) for street and highway reconstruction and storm damage repair. Funds are distributed to counties in proportion to % of registered vehicles (75%) and miles of maintained county roads (25%), and to cities in proportion to population.

SB 1847 (SCHIFF) **WATCH**

Pasadena Blue Line Construction Authority - Would create the Pasadena Metro Blue Line Construction Authority for the purpose of awarding and overseeing all design and construction contracts necessary for the completion of the project, transfer unencumbered local funds programmed for this project to the Authority, and provides that state funds programmed for this project be allocated to the Authority. Any transfer of funds shall be subject to the terms of the MOU between the CTC and LACMTA, the Authority shall submit a full funding program to the Governor, Legislature and CTC within 90 days and make reasonable progress, as determined by the CTC, in design and construction of the project.

SB 2128 (JOHNSTON) **OPPOSE**

Airspace Lease - Stockton - would authorize Caltrans, after July 1, 1999, to lease airspace under the interchange of Route 4 and Sutter Street in San Joaquin County to any city, county, or other political subdivision, or any state agency, for emergency shelter or feeding program purposes, and would require the lease

to be for \$1 per month for up to 10 years (and two additional renewals of not more than 10 years each) with an administrative fee of not more than \$500 per year.

The attached legislative matrix reports the final status of 29 bills of interest to the Commission.

4-1oct98/stleg/co

**CALIFORNIA TRANSPORTATION COMMISSION
POSITIONS ON STATE LEGISLATION
OCTOBER 14, 1998**

BILL/AUTHOR	SUBJECT	POSITION	STATUS/COMMENTS
ASSEMBLY			
AB 87 ESCUTIA (Amended 8/25/97)	<u>California Transportation Finance Bank</u> - Would require the CTC and Caltrans to implement the California Transportation Finance Bank, specifically authorizes the CTC to allocate funds for loan guarantees for capital transportation projects, and would prohibit the use of federal and state funds committed to the bank for any non-transportation purposes.	WATCH	Died in Senate Appropriations Committee.
AB 96 STROM-MARTIN (Amended 8/26/98)	<u>NCRA</u> - Would add NCRA freight rail projects as eligible for funding in the Interregional Improvement Program and the Regional Improvement Program , and includes activities of the NCRA related to the operation and maintenance of the railroad as eligible uses of Public Transportation Account funds.	OPPOSE	Amended 6/15/98, passed Senate 8/20/98 (38-0), Assembly concurs in Senate amendments 8/31/98 (72-6), <u>VETOED</u> by the Governor 9/28/98.
AB 376 BACA (Amended 5/30/97)	<u>Public Contracts, Caltrans</u> - would require contracts awarded by Caltrans for engineering, architectural, landscape architectural, surveying, environmental, or engineering geology services that exceed \$50,000 be awarded through a publicized competitive bidding process to the lowest qualified bidder.		Died, in Senate Transportation Committee.
AB 542 PERATA (Amended 8/26/98)	<u>Intercity Rail Feeder Bus Service</u> - Would, until 1/1/03, authorize Caltrans to authorize the use of funds by Amtrak to contract for bus service to feed intercity passenger rail services, and require the appropriate state agency to consult with licensed intercity bus operators to determine whether or not they can provide the desired intercity passenger rail feeder bus service under terms and conditions beneficial to the state's interests.		Passed Assembly 5/19/97 (59-8), passed Senate 8/28/98 (30-2), Assembly concurs in Senate amendments 8/31/98 (72-6), <u>VETOED</u> by the Governor 9/30/98.

BILL/AUTHOR	SUBJECT	POSITION	STATUS/COMMENTS
AB 712 ACKERMAN (Amended 6/2/97)	<u>Orange County - Caltrans Funding Exchange</u> - Authorizes the Orange County Transportation Authority (OCTA) to exchange state gasoline tax revenues subvned to Orange County and transferred to OCTA as part of the bankruptcy plan of adjustment, for TP&D Account funds appropriated in the budget to Caltrans.	WATCH	Passed Assembly 6/4/97 (67-9), passed Senate 9/2/97 (23-10), <u>VETOED</u> by the Governor 10/2/97.
AB 1141 MURRAY (Amended 9/8/97)	<u>LACMTA</u> - Would require the Governor to appoint a state administrator to oversee the authority, with the authority's board serving in an advisory capacity to the state administrator.		Died in Senate Transportation Committee 7/15/97.
AB 1362 MAZZONI (Amended 9/3/97)	<u>County Transportation Sales Taxes</u> - Would make the decision of the California Supreme Court in Santa Clara County Transportation Authority v. Guardino (1995), in which the court upheld the validity of the two-thirds general tax voter approval requirement, inapplicable to any tax that was first imposed or increased by an ordinance or resolution adopted prior to 12/14/95.	SUPPORT	Passed Assembly 5/20/97 (41-37), passed Senate 9/8/97 (21-18), Assembly concurs in Senate amendments 9/11/97 (41-37), <u>VETOED</u> by the Governor 10/10/97. Stricken from the File 1/5/98.
AB 1521 SCOTT (Amended 6/24/97)	<u>LACMTA Recovery Plan</u> - States legislative intent that the Recovery Plan submitted to the Federal Transit Administration should be fund constrained, fair and responsible, that all modes receive an equitable share of funding, that the state establish reasonable oversight of the financial condition of LACMTA, and act to avoid the loss of federal funds to LACMTA.	WATCH	Died in conference Committee.
AB 1657 MURRAY (Amended 3/16/98)	<u>Environmental Enhancement & Mitigation Program</u> - States it is the Legislature's intent to allocate \$10 million a year to the EE&M Program until June 30, 2004.		Died in Senate Transportation Committee.

BILL/AUTHOR	SUBJECT	POSITION	STATUS/COMMENTS
AB 1686 MURRAY (Amended 8/12/98)	<u>Retrofit Soundwall Funding</u> - Would require Caltrans and the regions to develop and submit to the Commission on or before March 1, 1999, programs for building all soundwalls included on the May 3, 1989 list by July 1, 2006, that funding be split 50% from interregional improvement program funds available for use in urban areas and 50% from the county's share of regional improvement program funds. Commission may delete a project from the priority list if so recommended by Caltrans or a regional agency and the Commission finds that the project is not cost effective, that deletion of the project will not adversely impact public health, safety, and welfare. The Commission may delay the completion date of a project to any date on or before 7/1/08, if Caltrans and the regional agency so request.	WATCH	Passed Assembly 5/27/98 (45-25), passed Senate 8/20/98 (22-15), Assembly concurs in Senate amendments 8/25/98 (46-27), <u>VETOED</u> by the Governor 9/21/98.
AB 1702 FIGUEROA (Amended 3/23/98)	<u>Transit Pass Tax Credits</u> - would, for years beginning on or after 1/1/98, and before 1/1/03, authorize a tax credit equal to 40% of the cost paid or incurred by an employer for providing subsidized public transit passes to employees, require the California Research Bureau to submit a report to the Legislature by 1/1/02, on the tax credit including the cost of the credit, the number of transit passes issued, and the total public transit ridership in California in income years 1998 through 2000.	SUPPORT	Died in Assembly Appropriations Committee.
AB 1759 RUNNER (Amended 4/27/98)	<u>STIP Regional Improvement Program Funds - Los Angeles County</u> - would require that prior to the preparation and adoption of the 2000 STIP, LACMTA revise the process by which it allocates funds for the Regional Improvement Program that identifies a percentage of available state funds, not less than 10% nor more than 25%, for subregional policy decisions.		Died in Senate Transportation Committee.

BILL/AUTHOR	SUBJECT	POSITION	STATUS/COMMENTS
AB 1776 McCLINTOCK (Amended 5/18/98)	<u>Vehicle License Fees</u> - Would, over a 5-year period, abolish the vehicle license fee on all vehicles, would transfer sales and use tax revenues to the Local Government Independence Fund for appropriation to local governments, would eliminate the transfer of a specified percentage of vehicle license fees to local agencies for various human services programs.		Died In Assembly Revenue & Taxation Committee.
AB 2035 CARDENAS (Amended 7/27/98)	<u>STIP Fund Estimate-Federal Demonstration Projects</u> - Would prohibit federal funds available for demonstration projects that are not subject to federal obligational authority, or are accompanied with their own dedicated obligational authority, from being considered funds that would otherwise be available to the state and included in the fund estimate. The bill would define "federal funds," for purposes of preparing the Fund Estimate, as any obligational authority to be provided under annual federal transportation appropriations acts.	SUPPORT	Passed Assembly 5/21/98 (75-2), passed Senate 8/13/98 (38-0), Assembly concurs in Senate amendments 8/18/98 (74-2), approved by Governor 9/18/98. Chapter 596, Statutes of 1998
AB 2434 SCOTT (Introduced 2/20/98)	<u>Route 710, South Pasadena</u> - would prohibit any project to close an existing gap in the Interstate Highway System from being included in the STIP or the IIP for a county with a population of 5 million or more (Los Angeles) unless funding for the mitigation of environmental impacts of the project, including sound attenuation devices, mitigation of impacts on air quality, and protection and preservation of historic resources, is fully secured and committed to the project; and no other project in the region that is determined by LACMTA, Caltrans, or the CTC to be more cost effective for moving people or goods is delayed by the commitment of funds to design and construct the project.	OPPOSE	Died in Assembly Appropriations Committee.

BILL/AUTHOR	SUBJECT	POSITION	STATUS/COMMENTS
AB 2562 MILLER (Amended 4/30/98)	<u>Eastern Corridor</u> - would require Caltrans to study the cost of constructing rail grade separations from downtown Los Angeles through the San Gabriel Valley to Colton, from downtown Los Angeles through Orange County to Colton, from Colton over the Cajon Pass to Victorville, and any other appropriate grade separations..	SUPPORT	Died, in Senate Transportation Committee.
AB 2782 KEELEY (Amended 8/28/98)	<u>NCRA</u> - This bill would appropriate \$2 million from the <u>General Fund</u> to the CTC for the immediate and critical needs of the NCRA. Any remaining funds shall be available for additional needs of the NCRA, including capital improvements to safely operate and maintain the rail service. The funds shall not be used as repayment of the "Q-Fund" loan. The CTC shall report by 12/31/99, to the Legislature on how these funds have been expended by the NCRA.	WATCH	Amended 8/28/98 on the Senate floor (37-0), passed Senate 8/30/98 (27-6), Assembly concurs in Senate amendments 8/31/98 (63-6), approved by Governor 9/28/98. Chapter 953, Statutes of 1998
ACA 30 MURRAY (Amended 6/24/98)	<u>Loans of Transportation Funds</u> - Specifies that funds in the State Highway Account or the Public Transportation Account may be loaned to the State General Fund only if the loan is repaid in full, with interest, to the account during the fiscal year in which the funds are loaned, <u>or</u> within three fiscal years if the Governor has proclaimed a state of emergency and declared the emergency will have a significant negative fiscal impact on the General Fund, or General Fund revenues for the current fiscal year are less than General Fund revenues for the previous fiscal year adjusted for inflation and population growth. Permits the Legislature to authorize, by statute, loans for up to four which are to be repaid with interest at the PIMA rate, to local transportation agencies, cities and counties. Also designate all Local Transportation Funds as trust funds.	SUPPORT IN CONCEPT	Passed Assembly 4/30/98 (70-1), passed Senate 6/25/98 (32-1), Assembly concurs in Senate Amendments 6/25/98 (71-2), Chaptered 6/25/98. Resolution Chapter 77, Statutes of 1998.

BILL/AUTHOR	SUBJECT	POSITION	STATUS/COMMENTS
AJR 1 LEMPERT	<u>Devil's Slide Highway Tunnel</u> - Would memorialize the President and the Congress to support the efforts to reallocate federal emergency highway repair funds and any other funds available for construction of a tunnel on State Highway Route 1 behind Devil's Slide through San Pedro Mountain in northern San Mateo County.		Died In Assembly Transportation Committee.

SENATE			
SB 270 PEACE (Amended 8/24/98)	<u>Foreign Commercial Vehicle Safety Regulation</u> - Would require that the CHP adopt rules and regulations to promote the safe operation of commercial vehicles that enter California from Mexico consistent with existing standards, and would require the ARB to conduct emissions inspections at the California-Mexican border crossings.		Passed Senate 5/15/97 (32-0), passed Assembly 8/28/98 (75-0), Senate concurs in Assembly amendments 8/28/98 (38-0), approved by Governor 9/21/98. Chapter 727, Statutes of 1998
SB 567 Schiff (Amended 8/28/98)	<u>LACMTA - Transportation Finance Bank</u> - would authorize the CTC to allocate federal and state transportation funds to Caltrans for an enforceable commitment to the California Economic Development and Financing Authority for implementing the purpose of the Transportation Finance Bank (TFB), and requires the CTC to allocate funds from the State Highway Account and other available funds to Caltrans to be used to meet capital and interest obligations created by the TFB as those obligations arise or become due.	SUPPORT	Amended 8/13/98 in Assembly, passed Assembly 8/31/98 (76-2), Senate concurs in Assembly amendments 8/31/98, approved by Governor 9/20/98. Chapter 664, Statutes of 1998
SB 837 KOPP (Amended 4/28/98)	<u>SB 45 Clean-up</u> - STIP process technical corrections Gov. Code Sections 14526, 14529, 14529.8, 14530.1, 14550, 14555, 65082, 65086.5; Public Utilities Code Section 99317; Streets & Highways Code Sections 164.1, 188.5, 188.10. Consistent with CTC recommendations.	SUPPORT	Passed Senate 1/29/98 (35-0), passed Assembly 5/14/98 (74-0), Senate concurs in Assembly amendments 5/18/98 (35-0), approved by Governor 6/1/98. Chapter 53, Statutes of 1998

BILL/AUTHOR	SUBJECT	POSITION	STATUS/COMMENTS
SB 1477 KOPP (Amended 8/25/98)	<u>Local Street & Highway Reconstruction</u> - Appropriates \$300 million from the SHA (\$200 million in FY1998-99, and \$100 million IN FY1999-2000) for allocation by the Controller to cities (50%) and counties (50%) for street and highway reconstruction and storm damage repair. Funds are distributed to counties in proportion to % of registered vehicles (75%) and miles of maintained county roads (25%), and to cities in proportion to population.	WORK WITH AUTHOR ON CONCERNS	Amended 7/6/98, passed Assembly 8/31/98 (48-26), Senate concurs in Assembly amendments 8/31/98 (30-1), <u>VETOED</u> by the Governor 9/30/98.
SB 1532 KELLEY (Amended 3/17/98)	<u>Airport Closure, State Grant Repayment</u> - provides that the amount required to be repaid to the state Aeronautics Account if an airport ceases to be used as an airport open to the general public shall <u>not</u> include any payment made pursuant to Public Utilities Code Section 21682 (annual grants), if Caltrans determines that the airport is not necessary to the system of public airports in this state.	SUPPORT	Passed Senate 4/30/98 (34-0), passed Assembly 7/7/98 (72-0), signed by Governor 7/20/98. Chapter 198, Statutes of 1998
SB 1758 KELLEY (Amended 8/24/98)	<u>Advance Project Funding</u> - Authorize CTC to advance unallocated funds in the SHA to transportation planning agencies, county transportation commissions, transit districts and local transportation authorities for the advancement of projects eligible under the STIP that are included within an adopted regional transportation plan.	SUPPORT SEEK AMENDMENTS	Died in Senate Transportation Committee.
SB 1847 SCHIFF (Amended 8/17/98)	<u>Pasadena Blue Line Construction Authority</u> - Would create the Pasadena Metro Blue Line Construction Authority for the purpose of awarding and overseeing all design and construction contracts necessary for the completion of the project, transfer unencumbered local funds programmed for this project to the Authority, and provides that state funds programmed for this project be allocated to the Authority. Any transfer of funds shall be subject to the terms of the MOU between the CTC and LACMTA, the Authority shall submit a full funding program to the Governor, Legislature and CTC within 90 days and make reasonable progress, as determined by the CTC, in design and construction of the project.	WATCH - CONCERNS	Passed Senate 5/20/98 (27-4), passed Assembly 8/20/98 (62-8), Senate concurs in Assembly amendments 8/27/98 (30-3), approved by Governor 9/30/98. Chapter 1021, Statutes of 1998

BILL/AUTHOR	SUBJECT	POSITION	STATUS/COMMENTS
SB 1886 HAYDEN (Amended 6/15/98)	<u>LACMTA</u> - Would create the San Fernando Valley Transportation Planning Authority (15 voting members and 5 nonvoting members) and would make the authority the sole responsible entity for the planning and programming of transportation projects and services for the San Fernando Valley region. Would require the LACMTA to provide adequate funds from state transportation improvement program funds designated for administration for the authority to carry out its duties and responsibilities.		Died in Assembly Transportation Committee.
SB 1962 KELLEY (Amended 4/28/98)	<u>Transportation Finance Bank</u> - would authorize the CTC to allocate federal and state transportation funds to Caltrans for an enforceable commitment to the California Economic Development and Financing Authority for implementing the purpose of the Transportation Finance Bank (TFB), and requires the CTC to allocate funds from the SHA and other available funds to Caltrans to be used to meet capital and interest obligations created by the TFB as those obligations arise or become due.	SUPPORT	Died in Senate Appropriations Committee.
SB 2128 JOHNSTON (Amended 7/19/98)	<u>Airspace Lease - Stockton</u> - would authorize Caltrans, after July 1, 1999 , to lease airspace under the interchange of Route 4 and Sutter Street in San Joaquin County to any city, county, or other political subdivision, or any state agency, for emergency shelter or feeding program purposes, and would <u>require</u> the lease to be for \$1 per month for up to 10 years (and two additional renewals of not more than 10 years each) with an administrative fee of not more than \$500 per year.	OPPOSE	Passed Senate 5/4/98 (36-0), passed Assembly 8/13/98 (68-6), Senate concurs in Assembly amendments 8/18/98 (37-0), approved by Governor 9/28/98. Chapter 958, Statutes of 1998

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Updated: 10/14/98